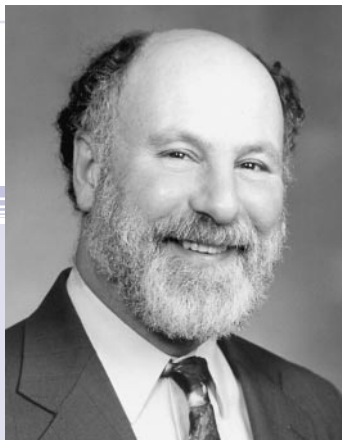




Washington State Senate



Senator Adam Kline

37TH LEGISLATIVE DISTRICT • JUNE 2000

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Legislative E-Updates

I've been sending out occasional legislative updates via e-mail to those constituents who request them. If you'd like to get on the e-mailing list, please contact me at my office at kline_ad@leg.wa.gov. Also, please let me know if you have any particular policy interests.

Is the Death Penalty Imposed Fairly?

In recent years, several death-row inmates in other states have been found to have been innocent of the crimes for which they were convicted. The most recent case was in Illinois. In response to that and other cases, Illinois' governor declared a moratorium on executions pending proof that the death penalty there is being sought and applied fairly.

I sponsored legislation this year calling for a two-year moratorium on executions here in our state while a study seeking answers to these same questions could be completed.

I oppose the death penalty, but that's not why I sponsored the bill. My immediate goal was simply to investigate the fairness issue, especially with regard to race. Because of intense opposition, the moratorium provision was removed from the bill. But the study portion of the bill survived as a budget item. I'm going to try for the moratorium again next year.

As to the death penalty itself, it has no deterrent effect on crime. It doesn't keep society any safer than putting those

Dear Neighbor,

It was the best of times, it was the worst of times. This legislative session was dominated by a major overhaul of the state budget. I've just completed my first two-year tour of duty on the Senate Ways & Means Committee, and I'm tired. The compromise budget has been signed by the governor. Time to write to the home folks.

It was the best of times. In this booming economy, tax revenues have been enough to let us do the work of state government. The spending cap created by Initiative 601 some years back has limited the amount we can invest in this work, forcing the growth of the Reserve Account to \$1.3 billion. An ill-conceived initiative, I-695, whose backers made the reserve a political target, limited the amount of revenue we can raise, and punched a couple of large holes in the budget.

It was the worst of times. There was a real risk, apparent from the start, that dollars intended to educate our children, provide medical care for the indigent, and run our buses would instead be pulled from those parts of the budget to fill potholes.

This session was also a tale of two cities, Seattle and Olympia, and of the ordinary and yet extraordinary people who live and work in them. I believed, as a youthful idealist, that in a democracy the interests of ordinary people can prevail only when they are educated, assertive, and organized. After four legislative sessions, I know that more clearly than ever. The aftermath of I-695, and our long labors to repair the damage, tell me how far we, as a state, have to go.

You, as the voters of the 37th District, rejected I-695 overwhelmingly, with the highest No vote of the 49 legislative districts. I got to brag about you in Olympia for three months. In this newsletter, I'll recount some of the actions of the past session that are of interest to the ordinary (and yet extraordinary) people whom I am honored to represent in the Senate.

Yours truly,

Adam Kline
State Senator
37th Legislative District

prisoners who are truly incorrigible behind bars for life in a maximum security prison. Those states without the death penalty are no more crime-ridden than we are. It debases our society, bringing us collectively to the level of the killer.

But even if that isn't enough of a reason to oppose the death penalty, how about the sheer waste of time and money? According to a report by state Supreme Court Chief Justice Richard Guy, the average death penalty case in Washington lasts 11.2 years and costs taxpayers \$422,262.

Is it all really worth it?

Patients Bill of Rights

This basic fairness measure, finally law in our state, is designed to help people covered by managed-care health insurance. It gives consumers a legal recourse against any health insurance company that denies policyholders the right to seek needed medical care because of managed-care restrictions. Essentially, it puts medical decisions back in the hands of you and your doctor — where they belong. While this law does not affect those people who work for companies that self-insure, it is still a big win for the great majority of citizens.

Sen. Adam Kline

It's Time for Tax Fairness

My wife, Laura Gene, is afraid I might run for statewide office someday and have to go live in Olympia. I love her dearly, and don't want her to worry, so, in order to reassure her once and for all, here's the final kibosh on any chance I might have to win office outside the Seattle city limits:

I support a state income tax.

There, I finally said it. I'm out.

Our state's tax structure has become increasingly burdensome on the poor. While few states have truly progressive tax policies that apply higher rates to those more able to pay, Washington has been singled out as literally the worst offender among the 50 states.

Using a composite of all state and local taxes paid by individuals and households, as opposed to institutions or corporations, the Institute on Taxation and Economic Policy, in a 1996 paper, showed the percentage of family income paid in taxes, for families in the top 20 percent and lowest 20 percent of income-earners. (The Institute is a project of a liberal advocacy group, Citizens for Tax Justice.) The results of its study are unsettling.

Most states tax the wealthy at rates significantly lower than the rates on middle- and low-income families. In the average state, the combination of state and local taxes on the wealthiest one-fifth is a little less than 9 percent of their income. (For the top 1 percent of incomes, it's even less, at just 7.9 percent.) Meanwhile, the poorest one-fifth of earners pay an average of 12.5 percent of their income in taxes. The middle fifth of the income spectrum pay 9.8 percent, a rate one-quarter higher than the rate on the top 1 percent.

Here in Washington, the Department of Revenue's figures are just as disturbing. People with household incomes of \$25,000 and less pay 12.7 percent of it in taxes; those making \$35,000 to \$75,000 pay an average 7.3 percent; and people earning \$75,000 to \$150,000 pay just 5.7 percent on average. These are only 1994 figures published in 1996, and thus don't reflect the recent trend toward an even wider income gap.

Our state's dubious No. 1 rating comes from a combination of several factors. First and foremost is our reliance on the mother of regressive taxes: the sales tax. The state's share is 6.5 cents on the dollar, and cities and counties are given additional local taxing authority; in Seattle it's an additional 2.1 cents. We pay it on all consumer purchases other than food and prescription drugs — that includes clothing, school books, household necessities, and the like. We also pay various excise taxes. An excise tax is imposed directly by the Legislature, and is based on use of property. For example, while you would pay sales tax if you buy a boat, you also would pay an excise tax when you register the boat. For the poorest fifth of Washingtonians, sales and excise taxes take 12.6 percent of family income; the wealthiest fifth spend just a little less than 5 percent on those taxes.

Then there's the property tax. Okay, I thought to myself, this is where it evens out, right? Owners of more expensive homes do pay more, and home price is related to income, sort of, so this is where it evens out, right? Wrong.

Yes, owners of more expensive properties do pay more, but as a percentage of family income the graph goes exactly the wrong way: The poorest fifth of homeowners pays an average 4.5 percent of their incomes in all property taxes, the middle fifth 3 percent, and the wealthiest just 2.8 percent.

Complaints about high taxes have been much in the news during the past 15 or 20 years. But high for whom? Too often, the complaints ignore the basic inequity in a system that takes a greater percentage of income from a family struggling to climb life's ladder than it does from those who have already reached the top. Lots of folks are upset at government's perceived unfairness, but I believe the real unfairness is the one we keep making worse. The same folks who complain the most about taxes just gave a \$30 pass to every bloated, testosterone-driven Power Wagon, 46-foot motor home, and Cadillac Monarchiste on the highway.

So here's an idea: a tax on incomes more than \$150,000 (or \$300,000 for a couple), using the adjusted gross income from Form

1040. The tax rate would start very low, say at 1 percent, and rise in seven or eight steps, rather than the three now used in the federal income tax. The initial rate structure would be set just high enough to raise exactly the same revenue as 5 cents of sales tax does in a moderate economy. The target amount of revenue is made subject to rise or fall with the Consumer Price Index. Then we drop a nickel out of the state sales tax, so the result is revenue-neutral.

There you have it. No major bureaucracy is needed: The taxpayer can send a copy of his/her Form 1040 as a state tax return. The resulting tax would be a more stable source of revenue than the sales tax alone, which fluctuates wildly with the economy. And most important, it would be fair.

There. I'm out and I'm happy. Now tell me what you think. You can e-mail me at kline_ad@leg.wa.gov. (While you're at it, let me know if you want to receive my occasional E-Update.)

The Split East Turn

These past few months, the ongoing controversy over aircraft noise has heated up again. At Sea-Tac, the Federal Aviation Administration (FAA) is conducting a noise study, with an eye to changing the takeoff and landing patterns.

The noise we experience on the ground is more from takeoffs, which involve high thrust from the jet engines. Because planes take off into the wind, we get takeoffs over southeast Seattle on days when the wind is from the north. For the most part, that's the summer — just the time when we want to be outside. As Madrona and Leschi residents know all too well, the current practice is for jets headed east to make their east turn right over those neighborhoods, by which time they've gained an altitude of only 5,000 to 6,000 feet, and are loud enough to disrupt conversations.

The Port of Seattle has been taking public testimony these past months about two possible changes. One is the "split east turn," by which some of the eastbound planes would make their turn earlier (and much lower and louder) over Columbia City and Seward Park, then climb as they fly over Mercer Island. The other is the increased use of a flight path over South Park, the Duwamish industrial area, and then out over Elliott Bay. The split east turn simply moves some of the noise from one area to another, and literally amplifies it by making planes turn at a lower altitude. The Duwamish route is a slight improvement, taking the jets over an area that is mostly industrial, then over the water. The airlines oppose this for eastbound use, however, because it's longer and uses more fuel.

Leschi and Madrona are due some relief; the status quo is not an option. But an earlier turn for some of the planes would have them turn at only 3,000 to 4,000 feet, a maneuver that would do more than disrupt conversations; it would create a much greater level of noise. I feel strongly that an equitable solution to the noise problem must involve the increased use of the Duwamish industrial area and an over-water route, rather than force a Hobson's choice between residential areas.

With a united effort by our neighborhood organizations, our voices can be heard — even over the roar of jet engines.



Residents of Leschi and Madrona deserve some relief from ear-splitting jet engine noise.

Making Sound Transit Work



SOUNDTRANSIT

As a member of the Senate Ways & Means Committee, I've been spending quite a bit of time and energy this year finding money for mass transit all over our state to make up for the ravages of I-695. The movement toward public transportation has encountered resistance, not only in I-695, but in other harebrained ideas whose purpose seems to be to make the world safe for the internal-combustion engine.

We did well by urban bus systems all over Washington, including our own King County system, formerly Metro. We brought them up to 90 percent of their pre-695 funding levels, using a one-time contribution of funds from the state's Reserve Account, then added local taxing authority to keep them going. The state ferry system also came out at 90 percent. But I continue to worry that our failure to more adequately fund Sound Transit's light rail component may cause us trouble in the near future.

The light rail line doesn't "pencil out" if it stops at the UW; daily ridership won't support it at the farebox unless it extends closer to where enough potential riders live, at least to Northgate. Also, a terminal attracts cars, as those living farther from the line try to park and get on the train. There's a major parking problem in the U District now; no one has the foggiest notion where to put an additional 1,000 cars daily. Yet Northgate has the space to build parking, and the proposed station is adjacent to the freeway. Better yet, residential density is enough to supply lots of riders who can walk or bike there.

Building the line to Northgate isn't just a good idea; it's a necessity if Sound Transit is to continue to grow, in Phase II, to Bellevue and Redmond. After all, will voters eight years from now want to put up an additional \$3.9 billion or more for a system that seems to ruin nice neighborhoods, lose money, and not go anywhere? And if the voters say no again, as they have before, what will become of our one good chance to save Seattle from the Highway Lobby? More is at stake here than meets the eye. We have to think hard about the long-term consequences of our actions.

To get light rail to Northgate will cost about \$400 million more than we have. We need to fill that gap with any combination of federal, state, and local funds. The enormity of this gap means that only a major federal contribution will do; we don't have that kind of money in our state budget. The feds are willing to help, but first need to see a demonstration of our commitment in hard dollars. I'm happy to say that I led a move by the Seattle legislative delegation to hold out for a state grant big enough to demonstrate our commitment. In the post-695 cash shortage, we managed to get \$15 million. But I'm hopeful that our county executive and mayor, on their next trip to the other Washington, will now have something more to say than just, "Please, please, please."

Let me change the subject for a moment — and this is a different subject. Like the activists of Save Our Valley, I would like very much

to see a tunnel under Rainier Valley. There are two major considerations for this: It would be much safer and much faster. It would be safer for pedestrians and motorists who need to cross the tracks, and for folks who might rely on the quick response time of fire or police personnel, because at-grade tracks are not friendly to either. A tunnel also would allow trains to reach speeds that would make the trip a more attractive alternative to driving.

Does the failure of Sound Transit to plan for a tunnel mean that opposition to the entire system is the only proper response? I think not. If it works, these trains will eventually take us and our neighbors to jobs — not just downtown, but in the high-tech corridor that surrounds us, just out of reach of those without cars. These trains are a necessity for the economic development that so far has eluded our part of town. But it has to be done right to work. And if the line doesn't go farther, it doesn't work.

Steal this Mantra!

Ever wonder what might happen if we used the Republican mantras of "privatization" and "property rights" in support of environmental protection goals? If you guessed that, all of a sudden, those concepts wouldn't look quite so appealing to the corporate interests, you're right! I tried it this year and here's what happened.

I figured that if we're willing to privatize some state services, why not consider "privatizing" enforcement of the state's environmental protection laws? After all, the Dept. of Ecology (DOE) and the Attorney General's Office can't be everywhere at once. These two agencies have laws that are useful weapons in the war against pollution and misuse of the land, air, and water — the problem is that in our post-695 budget, they hardly have the resources necessary to hire the lawyers to use those weapons. But citizens — who really are the government, and in whose interests the government is supposed to act — are everywhere, and are in a great position to help DOE and others enforce environmental regulations.

Toward that end, I sponsored a simple little bill (SB 6542) that would have given to every affected individual, including neighborhood groups and environmental organizations, the right to take civil action against violators of environmental laws, or to enforce a government agency's regulations.

Many lawmakers were surprised to learn that current Washington law restricts the right to sue in many cases to the Attorney General and DOE. That's right: We have great laws on the books, but most allow only the state to sue violators. So this bill is downright democratic — which may explain the great opposition it faced from the usual suspects: lobbyists for big business and developers.

They complained to the Senate Environmental Quality & Water Resources Committee that the bill amounted to "an inappropriate delegation of the state's legal duties."

But what about privatization? I thought that they liked that idea!

Well, no surprise: Even though the committee approved it, the corporate folks saw to it that the bill was killed. But we'll be back. Bet on it.